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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

AMARIN PHARMA, INC. and AMARIN
PHARMACEUTICALS IRELAND LIMITED,

Plaintiffs,

v.

HIKMA PHARMACEUTICALS USA INC. et al.,

Defendants.

CASE NO.: 2:16-cv-02525-MMD-NJK

Consolidated with
2:16-cv-02562-MMD-NJK

**DEFENDANTS' SUPPLEMENT TO
THEIR MOTION FOR LEAVE TO FILE
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT OF
NONINFRINGEMENT AND EXHIBITS
UNDER SEAL (ECF NO. 235)**

1 Pursuant to the Court's Order (ECF No. 278), Defendants Hikma Pharmaceuticals USA,
2 Inc. and Hikma Pharmaceuticals International Limited (together, "Hikma") and Defendants Dr.
3 Reddy's Laboratories, Inc. and Dr. Reddy's Laboratories, Ltd. (together, "DRL") hereby
4 supplement Defendants' Motion for Leave to File Defendants' Motion for Summary Judgment of
5 Noninfringement and Exhibits Under Seal (ECF No. 235).

6 Defendants sought to seal the entirety of Exhibits 12, 13, 14, 15, and 16 and portions of
7 Defendants' Motion for Summary Judgment of Noninfringement ("Defendants' SJ Motion") that
8 reference these exhibits. ECF No. 235. Exhibits 14 and 15 are Hikma's and DRL's proposed
9 ANDA labels, respectively. Hikma and DRL hereby withdraw their request to seal Exhibits 14
10 and 15.¹ The withdrawal of Defendants' request to seal Exhibits 14 and 15 does not affect any of
11 the proposed redactions to Defendants' SJ Motion.

12 Exhibits 12, 13, and 16 are documents produced by Plaintiffs Amarin Pharma, Inc. and
13 Amarin Pharmaceuticals Ireland Limited (together, "Amarin") that Amarin designated as
14 Confidential under the Stipulated Discovery Confidentiality Order (ECF No. 69). Defendants
15 sought to seal these documents, and the portions of Defendants' SJ Motion that correspond to
16 these documents², in an abundance of caution pursuant to Amarin's confidentiality designations.
17 Defendants take no position as to the propriety of Amarin's confidentiality designations for these
18 documents. Defendants hereby withdraw their request to seal Exhibits 12, 13, 16, and the
19 portions of Defendants' SJ Motion that correspond to these documents.

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23 ¹ Hikma and DRL reserve the right to later seek to seal any potential revisions to their respective
24 proposed ANDA labels.

25 ² The following portions of Defendants' SJ Motion contain proposed redactions that correspond
26 to Exhibits 12, 13, and 16: p. 5, lines 13-14; p. 7, lines 5-8; p. 21, lines 21-24; and p. 23, lines 8-
27 11. In order to give Amarin an opportunity to respond to this supplement, Defendants have not
28 publicly filed Exhibits 12, 13, and 16 or a redacted version of Defendants' SJ Motion that
eliminates the proposed redactions corresponding with these Exhibits.

DATED: November 7, 2019

Respectfully submitted,

/s/ Claire A. Fundakowski

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CERTIFICATE OF SERVICE

Pursuant to FRCP 5(b) and Section IV of the District of Nevada Electronic Filing Procedures, I hereby certify that I am an employee of BROWNSTEIN HYATT FARBER SCHRECK, LLP, and on this 7th day of November, 2019, I served the document entitled, **DEFENDANTS' SUPPLEMENT TO THEIR MOTION FOR LEAVE TO FILE DEFENDANTS' MOTION FOR SUMMARY JUDGMENT OF NONINFRINGEMENT AND EXHIBITS UNDER SEAL (ECF NO. 235)**, on counsel of record through the CM/ECF system.

/s/ Jeff Tillison
Employee of Brownstein Hyatt Farber
Schreck, LLP